

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

548,317
PCT/JP2004/004236



Applicant's or agent's file reference BR-04024PCTJ	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2004/004236	International filing date (day/month/year) 25 March 2004 (25.03.2004)	Priority date (day/month/year) 27 March 2003 (27.03.2003)
International Patent Classification (IPC) or national classification and IPC B41J 21/00		
Applicant BROTHER KOGYO KABUSHIKI KAISHA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand 25 March 2004 (25.03.2004)	Date of completion of this report 31 March 2005 (31.03.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/004236

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ The international application as originally filed/furnished
- ☐ the description:
- pages _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- pages _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the drawings:
- pages _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP04/004236

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

1-20

YES

Claims

NO

Inventive step (IS)

Claims

YES

Claims

1-20

NO

Industrial applicability (IA)

Claims

1-20

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

The subject matters of claims 1, 7, 13 and 20 are described in document 1 (paragraphs [0026], [0027] and [0042]-[0044]), and so do not appear to involve an inventive step.

The subject matters of claims 2, 3, 8, 9 and 14-17 have features wherein respective conditions for breakpoints described therein can be set variously; on the other hand, the above-mentioned document only describes "a breakpoint mark P". However, the constitution wherein it is possible to set such mark is a matter of design variation that a person skilled in the art could have made as required.

The feature described in claims 4, 10 and 18 wherein "the positional relationship in each line of characters on a print medium can be changed" is an obvious matter in the technical field of printers.

The feature described in claims 5, 11 and 19 wherein "characters or marks that the conditions for breakpoint themselves represent are printed on a label" is not described in the above-mentioned document; however, because such breakpoint marks themselves are input in a line of characters in succession with such marks, it is within the expectation of a person skilled in the art to print a line of characters together with breakpoint marks.

The feature described in claims 6 and 12 wherein "characters or marks that the conditions for breakpoints themselves represent are not printed on the said label" is merely a matter of separating the information input in a printing device into the pieces to be printed and those not to be printed.

Document 1: JP, 9-104135, A (Max Co., Ltd.), 22 April, 1997 (22.04.97), & EP, 000768611, A2, & US, 005833379, A2, & US, 005855441, A1, & US, 005871293, A